

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

CHRISTOPHER KELLER,

Case No. 3:22-cv-00481-ART-CLB

Petitioner,

ORDER

v.

TIMOTHY GARRETT,

Respondents.

Pro se Petitioner Christopher Keller has filed a Petition for Writ of Habeas Corpus under 28 U.S.C. § 2254 (“Petition”), an incomplete Application to Proceed *in Forma Pauperis* (“IFP”), and a motion for appointment of counsel. (ECF Nos. 1, 1-2, 1-3.)

Pursuant to 28 U.S.C. § 1914(a) and the Judicial Conference Schedule of Fees, a \$5.00 filing fee is required to initiate a habeas action in a federal district court. The court may authorize an indigent prisoner to begin a habeas action without paying the \$5 fee if he or she submits an IFP application on the approved form and includes three specific documents: (a) the prisoner’s financial declaration and acknowledgement showing an inability to prepay fees and costs, (b) a financial certificate signed by the prisoner and an authorized prison official, and (c) a copy of the prisoner’s account statement for the six-month period prior to filing. 28 U.S.C. § 1915(a); LSR 1-1, LSR 1-2.

Keller has indicated that he will submit his financial certificate and six-month account statement as soon as the NDOC processes his request. (ECF No. 1-1.) Keller will have 45 days from the date of this order to file those documents. Alternatively, Keller will have 45 days from the date of this order to pay the \$5 filing fee.

It is therefore ordered that within 45 days of the date of this order, Petitioner must file a financial certificate signed by Petitioner and an authorized

1 prison official and a copy of Petitioner's inmate account statement for the six-
2 month period prior to filing. Alternatively, Petitioner must pay the \$5 filing fee
3 within 45 days. If Petitioner decides to pay the filing fee from his inmate account,
4 he must arrange to have a copy of this order attached to the check for the filing
5 fee.

6 It is further ordered that Petitioner's failure to timely comply with this
7 Order will result in the dismissal of this action without prejudice and without
8 further advance notice.

9 DATED THIS 7th day of November 2022.

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12 ANNE R. TRAUM
13 UNITED STATES DISTRICT JUDGE
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